

Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC
ATTORNEYS AT LAW

ROY BARNES*
RICCARDO IACCARINO
CHARLES R. VIRGINIA**
LLOYD R. AMBINDER**
WENDELL V. SHEPHERD

3 Surrey Lane
Hempstead, New York 11550
(516) 483-2990
Fax: (516) 483-0566

258 Saw Mill River Road
Elmsford, New York 10523
(914) 592-5740
Fax: (914) 592-3213

111 Broadway
Trinity Centre
Suite 1403
New York, New York 10006
(212) 943-9080
Fax: (212) 943-9082

5 Mountain Avenue
North Plainfield, New Jersey 07060
(908) 757-2067
Fax: (908) 753-2238

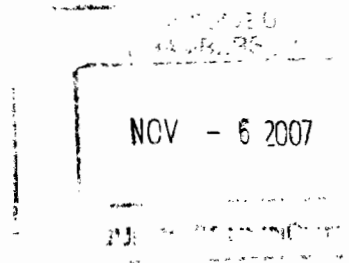
MARC A. TENENBAUM***

KARIN ARROSPIDE
DANIELLE M. CARNEY
DANA HENKE^
STEVEN KERN++
SAMER E. KHALAF**†
STEVEN KERN^^
HEIDI MAHER
GILLIAN McGOEY^^
YONGMIN OH
ALBERT RODRIGUES
KELLIE TERESE WALKER
JUDY S. WONG

VIA ECF & REGULAR MAIL

October 31, 2007

Deputy Law Clerk, Jim Reily
for Honorable Shira A. Scheindlin
500 Pearl Street, 15C
New York, NY 10007



* Also Admitted in PA
** Also Admitted in NJ
*** Also Admitted in OH
^ Also Admitted in DC
^^ Also Admitted in CT
† Also Admitted in MD

Re: Plasterers Local 262 Benefit Funds v. Medway Construction
Docket No. CV-07-7640

Dear Mr. Reily:

This firm is counsel to the above named Plaintiff Funds.

11/6/07

After receiving my request to the Court, the Defendant contacted an attorney and has agreed to comply with the Plaintiff's audit demand. The earliest appointment the accountants for each party could agree on was December 6, 2007. Accordingly, it will not be necessary to submit a Motion for Default.

Please advise if you want our offices to submit a status report as to the audit results. We are respectfully requesting that if the Court orders a conference, it would not be for period December 14 to December 28 because counsel for Plaintiffs will be out of town.

Thank you.

Sincerely,

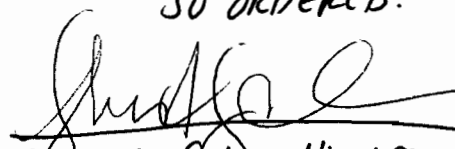

Danielle M. Carney, Esq.

DMC:jp

cc: Fund Office
Michael Rabinowitz, Esq. Attorney for Defendants
(via facsimile 516-739-8225)

The Court directs the parties to
appear for a conference on
January 3, 2008, at 4:30 p.m.

Date: Nov. 6, 2007

SU ORDERED:

Shira A. Scheindlin, USDJ